

EXHIBIT "A"

ITEM I:

**Tax Map Key: (1) 5-3-009-023**

All of that certain parcel of land situate at Papaakoko, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 16, area 39.168 acres, more or less, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1365 of the Trustee of the Estate of Grace Kahoalii.

Together with an easement for right of way and utility purposes over and across Easements "D" and "E", as shown on Map 4, as set forth by Land Court Order No. 128896, filed September 11, 1997.

NOTE: Deletion of Easement "D", as set forth by Land Court Order No. 141283 filed March 21, 2001.

Being a portion of the land(s) described in Transfer Certificate of Title No. 501,918 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED from HANO HANO ENTERPRISES, INCORPORATED, a Hawaii corporation, and SARAI ANN KALAI HANO HANO VAHEY, wife of Patrick Michael Kaipo Vahey to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, dated October 18, 1997, filed as Land Court Document No. 2411208.

SUBJECT, HOWEVER, to the following:

1. DESIGNATION OF EASEMENT for free flowage of water as shown on Map 2 of Land Court Application No. 1365.
2. GRANT in favor of THE PONDS AT PUNALUU ASSISTED LIVING, INC., a Washington corporation, dated February 28, 1996, filed as Land Court Document No. 2293100, granting a non-exclusive easement and rights of way over and across Easement "1" for all utilities (whether public or private).
3. RESTRICTION OF VEHICLE ACCESS RIGHTS as shown on Map 4, as set forth by Land Court Order No. 128896 filed September 11, 1997.

4. GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC. and GTE HAWAIIAN TELEPHONE COMPANY, INCORPORATED, now known as HAWAIIAN TELCOM, INC. dated October 14, 1998, filed as Land Court Document No. 2500298, granting a perpetual right and easement for utility purposes over Easement "D" (NOTE: Deletion of Easement "D", as set forth by Land Court Order No. 141283 filed March 21, 2001).
5. DESIGNATION OF EASEMENT "F" for roadway and utility purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
6. DESIGNATION OF EASEMENT "G" for slope and utility purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
7. DESIGNATION OF EASEMENT "H" for slope and utility purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
8. DESIGNATION OF EASEMENT "J" for access and sanitary sewer purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
9. DESIGNATION OF EASEMENT "L" as shown on Map 5, as set forth by Land Court Order No. 141283 filed March 21, 2001.
10. DESIGNATION OF EASEMENT "M" for utility purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
11. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.
12. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.
13. Claims arising out of the failure to convey the land described herein together with a right of access over Easement "F" over Lot 15.

ITEM II:

**Tax Key: (1) 5-3-009-024**

All of that certain parcel of land situate at Papaakoko, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 15, area 4.549 acres, more or less, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1365 of the Trustee of the Estate of Grace Kahoalii.

Together with an easement for right of way and utility purposes over and across Easements "D" and "E", as shown on Map 4, as set forth by Land Court Order No. 128896, filed September 11, 1997.

NOTE: Deletion of Easement "D", as set forth by Land Court Order No. 141283 filed March 21, 2001.

Being a portion of the land(s) described in Transfer Certificate of Title No. 501,918 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED from HANO HANO ENTERPRISES, INCORPORATED, a Hawaii corporation, and SARAI ANN KALAI HANO HANO VAHEY, wife of Patrick Michael Kaipo Vahey to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, dated October 18, 1997, filed as Land Court Document No. 2411208.

SUBJECT, HOWEVER, to the following:

1. DESIGNATION OF EASEMENT for free flowage of water purposes as shown on Map 2 of Land Court Application no. 1365.
2. GRANT in favor of THE PONDS AT PUNALUU ASSISTED LIVING, INC., a Washington corporation, dated February 28, 1996, filed as Land Court Document No. 2293100, granting a non-exclusive easement and rights of way over and across Easement "1" for all utilities (whether public or private).
3. RESTRICTION OF VEHICLE ACCESS RIGHTS, EXCEPT WHERE ACCESS IS PERMITTED ALONG Kamehameha Highway as shown on Map 4, as set forth by Land Court Order No. 128896, filed September 11, 1997, and shown on Map 5 of Land Court Application No. 1365.
4. GRANT in favor of HAWAIIAN ELECTRIC COMPANY, INC. and GTE HAWAIIAN TELEPHONE COMPANY, INCORPORATED, now known as

HAWAIIAN TELCOM, INC. dated October 14, 1998, filed as Land Court Document No. 2500298, granting a perpetual right and easement for utility purposes over Easement "D" (NOTE: Deletion of Easement "D", as set forth by Land Court Order No. 141283 filed March 21, 2001).

5. DESIGNATION OF EASEMENT "F" for roadway and utility purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
6. DESIGNATION OF EASEMENT "G" for slope and utility purposes, as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
7. DESIGNATION OF EASEMENT "H" for slope and utility purposes, as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
8. DESIGNATION OF EASEMENT "J" for access and sanitary sewer purposes as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
9. DESIGNATION OF EASEMENT "K" for sign and utility purposes, as shown on Map 5, as set forth by Land Court Order No. 141283, filed March 21, 2001.
10. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.
11. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.

**ITEM III:**

**Tax Key: (1) 5-3-009-058**

All of that certain parcel of land situate at Papaakoko, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 17, area 7.977 acres, more or less, as shown on Map 4 (amended), filed in the Office of the Assistant Registrar of the and Court of the State of Hawaii with Land Court Application No. 1365 of the Trustees of the Estate of Grace Kahoalii.

Being land(s) described in Transfer Certificate of Title No. 515,649 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED from HANOHANO ENTERPRISES, INCORPORATED, a Hawaii corporation, and SARAI ANN KALAI HANOHANO VAHEY, wife of Patrick Michael Kaipo Vahey to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, dated October 20, 1997, filed as Land Court Document No. 2478601.

SUBJECT, HOWEVER, to the following:

1. (A) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS CONCERNING FUTURE EXPANSION OR DEVELOPMENT dated September 8, 1994 filed as Land Court Document No. 2179122.

- 
- (B) DESIGNATION OF EASEMENT "E" for ingress, egress, and utility in favor of Lots 4-B, 15 and 16 as shown on Map 4, as set forth by Land Court Order No. 128896, filed September 11, 1997, and as amended by Land Court Order No. 129405, filed October 30, 1997.

2. LEASE dated December 27, 1995, made by and between HANOHANO ENTERPRISES INCORPORATED, a Hawaii corporation, and SARAI ANN KALAI HANOHANO VAHEY, wife of Patrick Michael Kaipo Vahey, as Lessor, and THE PONDS AT PUNALUU ASSISTED LIVING, INC., a Washington corporation, as Lessee, filed as Land Court Document No. 2281582.

The foregoing includes, but is not limited to, matters relating to Lessee's right of first refusal.

COMMISSIONER'S ASSIGNMENT OF LEASE from GUIDO GIACOMETTI, as Commissioner to LOAN ACCEPTANCE CORP., a Texas corporation, dated August 6, 2002, filed as Land Court Document No. 2829211.

Said Lease demising Lot 4-A as shown on Map 3 and Lot 3 as shown on Map 1 of Land Court Application No. 1365. Lot 4A and Lot 3 were consolidated into Lot 17 as shown on Map 4, as set forth by Land Court Order No. 128896 filed September 11, 1997, and Land Court Order No. 129405 filed October 30, 1997.

Together with a nonexclusive easement and rights of way granted in GRANT dated February 28, 1996, filed as Land Court Document No. 2293100, for all utility purposes over, across, under and through Easement "1", being portions of Lots 15 and 16 as shown on Map 2 of Land Court Application No. 1365, and being more particularly described in Exhibit "D" attached thereto. Together, also, with a non-exclusive 12-foot-wide easement running on both sides of and parallel to Easement "1", for purposes of slope, grading, support, maintenance and repair required by any applicable building and zoning codes, and any other applicable statute, law, rule or regulation; and subject to the terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained therein.

Said Lease is subject to the following:

(A) REVOLVING CREDIT MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING from LOAN ACCEPTANCE CORP., a Texas corporation in favor of BEAL BANK, SSB, a Texas savings bank, dated August 6, 2002, filed as Land Court Document No. 2890582.

(B) The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the following:

DECLARATION OF COVENANTS dated as of March 18, 2005, filed as Land Court Document No. 3244733, made by LOAN ACCEPTANCE CORP., a Texas corporation ("Declarant") and BEAL BANK SSB, a Texas savings bank ("Mortgagee") re loan sale agreement dated as of January 4, 2001.

(C) Claims arising out of the failure to convey the land described herein together with a right of access over Easement "F" over Lot(s) 15 and 16.

3. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the DEVELOPMENT AGREEMENT dated October 30, 1995, filed as Land Court Document No. 2293304 by and between CITY AND COUNTY OF HONOLULU, Department of Housing and Community Development, PAN PACIFIC MEDICAL DEVELOPMENT, and PONDS AT PUNALUU ASSISTED LIVING, INC.

-Note:- (a) Land Court Order No. 144807, filed February 5, 2002, sets forth the correction to the name of PAN PACIFIC MEDICAL DEVELOPMENT to PAN PACIFIC MEDICAL DEVELOPMENT, INC.



(b) The lien rights of PAN PACIFIC MEDICAL DEVELOPMENT, INC. were released by instrument dated October 29, 2001, filed as Land Court Document No. 2776131.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.
5. Claims arising out of the failure to convey the land described herein together with a right of access over Easement(s) "F" over Lot(s) 15 and 16.

**ITEM IV:**

**Tax Key: (1) 5-3-009-022**

All of that certain parcel of land situate at Papaakoko, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 4-C, area 16.738 acres, more or less, as shown on Map 3, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1365 of the Trustees of the Estate of Grace Kahoalii.

Together with an easement for access over Easement "C", Lot 3 and 4-A, as set forth by Land Court Order No. 27616, filed October 11, 1967.

-Note:- Said Lots 3 and 4-A were consolidated into Lot 5 as shown on Map 4, as set forth by Land Court Order No. 128896, filed September 11, 1997. Said Lot 5 was amended as Lot 17 as shown on Map 4 (amended), as set forth by Land Court Order No. 129405, file October 30, 1997.

Being the land(s) described in Transfer Certificate of Title No. 499,773 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, as to an undivided  $\frac{1}{2}$  interest and THE HANO HANO FAMILY, INC., a Hawaii corporation, as to an undivided  $\frac{1}{2}$  interest.

Being the premises acquired by the following:

1. By THE HANO HANO FAMILY, INC., a Hawaii corporation, as to an undivided  $\frac{1}{2}$  interest, by DEED dated February 24, 1970, filed as Land Court Document No. 502669, of ALBERT GORDON KALANINUIKALELEAUKAHOALII HANO HANO, husband of Rachel Lahela Hanohano, et al.; and
2. By UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, as to an undivided  $\frac{1}{2}$  interest, by WARRANTY DEED dated October 25, 1997, filed as Land Court Document No. 2411209, of SARAI ANN KALAI HANO HANO VAHEY, wife of Patrick Michael Kaipo Vahey.

SUBJECT, HOWEVER, to the following:

1. DESIGNATION OF EASEMENT for free flowage of water purposes, as shown on Map 2 of Land Court Application No. 1365.
2. DESIGNATION OF EASEMENT "A" for irrigation ditch purposes, as shown on Map 3, as set forth by Land Court No. 27616, filed October 11, 1967.
3. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.
5. Claims arising out of the failure to convey the land described herein together with a right of access over Easement(s) "F" over Lot(s) 15 and 16.

ITEM V

**Tax Key: (1) 5-3-008-001, C.P.R. Nos. 0001 through 0132**

All of those certain parcels of land situate at Papaakoko, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOTS: 11, area 27,018 square feet,  
12, area 27,612 square feet,  
13, area 27,275 square feet, and  
14, area 32,954 square feet, more or less,  
as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court



Application No. 1365 of Cooke Trust Company, Limited, successor Trustee under the Will and of the Estate of Grace Kahoalii, deceased;

Being the land(s) described in Transfer Certificate of Title No. 499,772 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED from HANO HANO ENTERPRISES, INCORPORATED, a Hawaii corporation and SARAI ANN KALAI HANO HANO VAHEY, wife of Patrick Michael Kaipo Vahey, to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, dated October 18, 1997, filed as Land Court Document No. 2411208.

-Note:- The aforementioned premises has been divided into 131 apartment units more particularly described in the Restated Declaration of Horizontal Property Regime dated August 25, 1993, filed as Land Court Document No. 2062900, as amended, and shown on Condominium Map No. 110, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

SUBJECT, HOWEVER, to the following:

1. An easement for the free passage of such water as may from time to time flow naturally without diversion over, on and through that certain stream that is included in Lot 14 as shown on Map 2 of Land Court Application No. 1365.
2. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and the effect, if any, upon the area of the land described herein.
3. A perpetual ten (10) foot right of way or easement for ingress and egress, extending from the highway to the sea over Lot 11 along its entire boundary with contiguous Lot No. 10; said easement to be appurtenant to the remaining lots or parcels of land presently described in Original Certificate of Title No. 26,667.
4. MASTER LEASE dated September 23, 1968, filed as Land Court Document No. 493549, by and between FIRST NATIONAL BANK OF HAWAII, a national banking association, Successor Trustee under the Will and of the Estate of Grace Kahoalii, deceased, et al., "Lessor", and EDWIN YEE, LTD., a Hawaii corporation, "Lessee"; leasing and demising the land described herein for a term of 55 years from December 16,

1968.

The Lessee's interest was assigned to EVELYN AMY KUROSUMI, wife of Hideo Kurosumi, as Tenant in Severalty, as to an undivided  $\frac{1}{2}$  interest, and SAM SAZAO HIRONAKA, husband of Martha Fujita Hironaka, as Tenant in Severalty, as to an undivided  $\frac{1}{2}$  interest, by instrument dated September 15, 1977, filed as Land Court Document No. 835524.

The interest of EVELYN AMY KUROSUMI, wife of Hideo Kurosumi, was by mesne assignment assigned to EVELYN A. KUROSUMI, as Trustee under that certain unrecorded Evelyn A. Kurosumi Revocable Living Trust, dated August 30, 1994, as amended and restated, with full powers to sell, mortgage, lease, or otherwise deal with the land, by instrument dated July 13, 2004, filed as Land Court Document No. 3142418.

The interest of SAM SAZAO HIRONAKA, husband of Martha Fujita Hironaka was assigned to SAM SAZAO HIRONAKA, as Trustee of the Sam S. Hironaka Revocable Living Trust, established by unrecorded instrument dated March 7, 1985, with powers to sell, mortgage, lease, etc., by instrument dated May 30, 1995, filed as Land Court Document No. 2246445.

Said Master Lease was amended by instrument dated May 30, 1995, filed as Land Court Document No. 2253171.

5. MASTER SUBLEASE dated September 23, 1970, filed as Land Court Document No. 526762, made by and between EDWIN YEE, LTD., as Sublessor, and CONDOMINIUM HAWAII, INC., a Hawaii corporation, as Sublessee; subleasing and demising the land described herein for a term of 55 years less one day commencing December 16, 1968, and ending on December 14, 2023; Consent thereto given by FIRST HAWAIIAN BANK, Successor Trustee under the Will and of the Estate of Grace Kahoalii, deceased, and HANO HANO ENTERPRISES, INCORPORATED, by instrument dated January 22, 1971, filed as Land Court Document No. 526763.

The Sublessee's interest was assigned to EVELYN AMY KUROSUMI, wife of Hideo Kurosumi, as Tenant in Severalty, as to an undivided  $\frac{1}{2}$  interest and SAM SAZAO HIRONAKA, husband of Martha Fujita Hironaka, as Tenant in Severalty, as to an undivided  $\frac{1}{2}$  interest, by instrument dated October 26, 1978, filed as Land Court Document No. 954483; Consents thereto given by FIRST HAWAIIAN BANK, Successor Trustee under the Will and of the Estate of Grace Kahoalii, deceased, by instrument dated November 2, 1978, filed as Land Court Document No. 954484, and by HANO HANO ENTERPRISES,

INCORPORATED, a Hawaii corporation, by instrument dated November 20, 1978, filed as Land Court Document No. 954485.

The interest of EVELYN AMY KUROSUMI, wife of Hideo Kurosumi, was by mesne assignment assigned to EVELYN A. KUROSUMI, as Trustee under that certain unrecorded Evelyn A. Kurosumi Revocable Living Trust, dated August 30, 1994, as amended and restated, with full powers to sell, mortgage, lease, or otherwise deal with the land, by instrument dated July 13, 2004, filed as Land Court Document No. 3142418.

The interest of SAM SAZAO HIRONAKA, husband of Martha Fujita Hironaka was assigned to SAM SAZAO HIRONAKA, as Trustee of the Sam S. Hironaka Revocable Living Trust, established by unrecorded instrument dated March 7, 1985, with powers to sell, mortgage, lease, etc., by instrument dated May 30, 1995, filed as Land Court Document No. 2246445.

Said Master Sublease was amended by instrument dated May 30, 1995, filed as Land Court Document No. 2253171.

6. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the RESTATED DECLARATION OF HORIZONTAL PROPERTY REGIME OF THE HANO HANO HALE dated August 25, 1993, filed as Land Court Document No. 2062900, as shown on Condominium Map 110 and any amendments thereto.

The foregoing Restated Declaration restates the original Declaration dated September 23, 1970, filed as Land Court Document No. 526891, and any amendments thereto.

Said Restated Declaration was amended by instrument dated April 18, 2002, filed as Land Court Document No. 2801463.

7. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the RESTATED BY-LAWS OF THE ASSOCIATION OF APARTMENT OWNERS OF THE HANO HANO HALE dated August 25, 1993, filed as Land Court Document No. 2062901.

The foregoing Restated By-Laws restates the original By-Laws dated September 23, 1970, filed as Land Court Document No. 526891, and any amendments thereto.

Said Restated By-Laws were amended by instrument dated April 18, 2002, filed as Land Court Document No. 2801463.

8. The following encroachments as shown on survey map prepared

by Kevin K. Kea, Land Surveyor, with Ace Land Surveying LLC, dated December 15, 2005:

- (a) CRM wall appurtenant to adjoining lot crosses into subject lot 0.6';
  - (b) Guy wire anchor appurtenant to road right of way crosses into subject lot 0.4'.
9. Any recorded Apartment Lease(s) covering apartment units within the Condominium Project known as "HANO HANO HALE" and matters arising from or affecting the same.

**ITEM VI:**

**Tax Key: (1) 5-3-008-002, C.P.R.(s) 0001 through 0143**

All of those certain parcels of land situate at Papaakoko, Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

- LOTS: 5, area 15,408 square feet,  
6, area 18,868 square feet,  
7, area 20,534 square feet,  
8, area 22,268 square feet,  
9, area 24,045 square feet, and  
10, area 25,536 square feet, more or less,

as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1365 of Cooke Trust Company, Limited, Successor Trustee under the Will and of the Estate of Grace Kahoalii, deceased;

Being the land(s) described in Transfer Certificate of Title No. 510,103 issued to UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation.

Said above described premises having been acquired by UNITY HOUSE, INCORPORATED, a Hawaii non-profit corporation, as follows:

- 1. By WARRANTY DEED of SARAI ANN KALAI HANO HANO VAHEY, wife of Patrick Michael Kaipō Vahey, dated October 24, 1997, filed as Land Court Document No. 2411644; and
- 2. By WARRANTY DEED of HANO HANO ENTERPRISES INCORPORATED, a Hawaii corporation, dated May 6, 1998, filed as Land Court Document No. 2457398.

-Note:- The aforementioned premises has been divided into 136 apartment units more particularly described in the Declaration of Horizontal Property Regime dated August 3, 1976, filed as Land Court Document No. 644805, as amended, and shown on Condominium Map No. 176, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

SUBJECT, HOWEVER, to the following:

1. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and its effect, if any, upon the area of the land described herein.
2. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF PAT'S AT PUNALUU dated May 26, 1993, filed as Land Court Document No. 2033601, as shown on Condominium Map 176 and any amendments thereto.

The foregoing Restated Declaration restates the original Declaration dated August 3, 1973, filed as Land Court Document No. 644805, and any amendments thereto.

Said Restated Declaration was amended by instruments dated April 13, 1999, filed as Land Court Document No. 2538549, and dated September 30, 2003, filed as Land Court Document No. 3016828.

3. The terms and provisions, including the failure to comply with any covenants, conditions and reservations, contained in the RESTATED BY-LAWS OF THE ASSOCIATION OF APARTMENT OWNERS OF PAT'S AT PUNALUU dated May 26, 1993, filed as Land Court Document No. 2033602.

The foregoing Restated By-Laws restates the original By-Laws dated August 3, 1973, filed as Land Court Document No. 644805, and any amendments thereto.

Said Restated By-Laws were amended by instruments dated June 14, 1995, filed as Land Court Document No. 2244522, dated April 13, 1999, filed as Land Court Document No. 2538551, dated May 14, 2003, filed as Land Court Document No. 2941011, and dated September 24, 2004, filed as Land Court Document No. 3189320.

4. LEASE dated December 2, 1987, filed as Land Court Document No. 1520877, by and between THE ASSOCIATION OF CONDOMINIUM

OWNERS OF PAT'S AT PUNALUU, by and through its Board of Directors, as Lessor, and HONOLULU CELLULAR TELEPHONE COMPANY, a New York general partnership, as Lessee; leasing and demising the premises located on the roof top of the building situate on the land described herein, for a term of 20 years commencing on January 1, 1988 and ending on December 31, 2008.

Said LEASE was assigned to AT&T WIRELESS SERVICES OF HAWAII, INC., a Wisconsin corporation, d/b/a AT&T WIRELESS SERVICES, by instrument dated December 20, 2000, but effective December 31, 1999, filed as Land Court Document No. 2672916.

Said Lease was amended by instrument dated June 25, 2001, but effective as of June 1, 2001, filed as Land Court Document No. 2721442.

Said above Lease, as amended, is subject to any matters arising from or affecting the same.

5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other matters which a correct survey or archaeological study would disclose.
6. Any recorded and unrecorded Apartment Sublease(s) covering apartment units within the Condominium Project known as "PAT'S AT PUNALUU" and matters arising from or affecting the same.

END OF EXHIBIT "A"